

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

FEIT ELECTRIC COMPANY, INC.,  
  
Plaintiff and Counterclaim-Defendant,  
  
v.  
  
CFL TECHNOLOGIES LLC,  
  
Defendant and Counterclaim-Plaintiff.

Case No. 13-cv-09339

Hon. Sharon Johnson Coleman

**FEIT ELECTRIC COMPANY, INC.’S  
MOTION TO ESTABLISH PERIOD OF DAMAGES FOR U.S. PATENT NO. 6,172,464**

Plaintiff and Counterclaim-Defendant, Feit Electric Company, Inc. (“Feit Electric”) respectfully moves this Court to establish the period of damages for U.S. Patent No. 6,172,464 (“the ’464 patent”).

On August 8, 2019, this Court vacated its prior ruling that the ’464 patent is unenforceable based on collateral estoppel. However, as a matter of law and equity, no damages can accrue for the time Feit Electric and indeed all the public was on notice that the ’464 patent was adjudged to be unenforceable. Since the decision to vacate the unenforceability ruling came only after the expiration of the ’464 patent, there is no period for damages to accrue for infringement of the ’464 patent. CFLT, having acquired rights to the ’464 patent only after the patent had expired and while it was still adjudged to be enforceable, can have no expectation to the contrary.

In further support, Feit Electric respectfully refers to the Memorandum filed herewith.

Dated: July 30, 2021

Respectfully submitted,

/s/ Zaiba Baig

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2021, the foregoing document was filed via the Court's CM/ECF system, which will automatically serve and send email notification of such filing to all registered attorneys of record.

/s/ Zaiba Baig  
*One of the attorneys for Feit Electric Company, Inc.*